

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

**\* CRIMINAL DOCKET NO.**

**v.**

**\* SECTION: “ ”**

**HOPE MARIE SMITH**

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**\* \* \***

**FACTUAL BASIS**

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

In June 2007, E.R., who lived in Washington, D.C. but previously resided at 3206 Castiglione Street in New Orleans, LA, received a call from a debt collector who told her that she owed approximately \$1,300.00 to AT&T for an account she opened. Realizing she did not open an account with AT&T, she placed a fraud alert on her credit. The victim discovered that credit companies, including Sprint, had made credit inquiries for applications that had been submitted. Sprint and AT&T were the only companies that approved applications. E.R. realized her student loan information which contained her Social Security number had been mailed to her prior residence at Castiglione Street. On July 5, 2007, E.R.

filed a police report with New Orleans Police Department, who in turn contacted Postal Inspectors.

Postal Inspectors interviewed a representative of Sprint Wireless. The representative would testify that on or about February 19, 2007, an applicant identified as Daniel Martin using E.R.'s Social Security number and the Castiglione Street address, applied via telephone for an account with Sprint Wireless. Sprint approved the account and on or about February 19, 2007 Sprint shipped two cell phones valued at \$299.98 from London, Kentucky to the Castiglione Street address. On February 27, 2007, Sprint received a request for another phone on that same account and shipped an additional phone valued at \$149.99 to the same address.

Postal Inspectors also interviewed a representative of AT&T. That representative would testify that on or about April 2, 2007, an applicant identified as E.R. using E.R.'s Social Security Number and the Castiglione Street address, applied via telephone for an account with AT&T. AT&T approved the account and on or about April 2, 2007, AT&T shipped two cell phones valued at \$30.00 each from Plano, Texas to the Castiglione Street address. Including the cost of the phones and usage, the amount of services obtained by the applicant totaled between \$2,000 and \$3,000.

Through their investigation, Postal Inspectors determined that **SMITH** resided at the

Castiglione Street address during the time that the applications were filed with Sprint Wireless and AT&T. On November 28, 2007, Postal Inspectors interviewed **SMITH** regarding the identity theft of E.R. **SMITH**, who no longer resided at Castiglione Street, admitted that when she resided at Castiglione Street, she retrieved two to three pieces of mail from the mail box addressed to E.R. One of the pieces was information regarding E.R.'s student loans which contained her Social Security number. **SMITH** said she used E.R.'s Social Security number and name and opened cell phone accounts with Sprint and AT&T. She obtained three phones from Sprint and gave the remaining two to her girlfriends. She obtained two phones from AT&T, gave one to her girlfriend and kept the other phone for herself.

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ANDRE' JONES Assistant United States Attorney LA Bar Roll No. 23502	Date
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HOPE MARIE SMITH Defendant	Date
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ROMA A. KENT Assistant Federal Public Defender LA Bar Roll No. 01459 Attorney for the Defendant	Date
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